



**BOARD OF HEALTH  
MINUTES 19-001  
1:30 p.m.  
Monday, January 14, 2019  
Council Chambers  
Hamilton City Hall**

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**Present:** Mayor F. Eisenberger  
Councillors M. Wilson, J. Farr, N. Nann, S. Merulla, C. Collins, T. Jackson, E. Pauls, J.P. Danko, B. Clark, M. Pearson, B. Johnson, L. Ferguson, A. VanderBeek, T. Whitehead and J. Partridge

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**THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:**

**1. Alcohol Drug and Gambling Services – Community Mental Health Promotion Program Budget 2019-2020 (BOH19001) (City Wide) (Item 7.1)**

**(Johnson/Nann)**

- (a) That the Board of Health approve the 2019-2020 Alcohol, Drug & Gambling Services budget; funded by the Hamilton Niagara Haldimand Brant, Local Health Integration Network;
- (b) That the Board of Health approve the 2019-2020 Community Mental Health Promotion Program budget; funded by the Hamilton Niagara Haldimand Brant, Local Health Integration Network;
- (c) That the Board of Health approve the 0.2 FTE decrease for the Community Mental Health Promotion Program, a 0.2 FTE decrease for the Alcohol, Drug & Gambling Services, Substance Use Program, and a 0.1 FTE decrease for the Alcohol, Drug & Gambling Services, Problem Gambling Program; and,
- (d) That the Medical Officer of Health or delegate be authorized and directed to receive, utilize and report on the use of these funds.

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES - Councillor Maureen Wilson  
YES - Councillor Jason Farr  
YES - Councillor Ninder Nann  
YES - Councillor Sam Merulla  
YES - Councillor Chad Collins  
YES - Councillor Tom Jackson  
YES - Councillor John-Paul Danko  
YES - Chair Fred Eisenberger

YES - Councillor Judi Partridge  
YES - Councillor Lloyd Ferguson  
YES - Councillor Brenda Johnson  
YES - Councillor Maria Pearson  
YES - Councillor Brad Clark

**2. Food Advisory Committee 2019 Budget Request and Annual Report (BOH19004) (City Wide) (Item 9.1)**

**(Merulla/Farr)**

- (a) That the Food Advisory Committee 2019 base budget submission attached as Appendix A to Report BOH19004 in the amount of \$1,500 be approved and referred to the 2019 budget process for consideration;
- (b) That, in addition to the base funding, a one-time budget allocation for 2019 of \$1,000, funded by an increase to the tax levy, be approved and referred to the 2019 budget process for consideration;
- (c) That any remaining 2019 funds be returned to the Advisory Committee reserve; and,
- (d) That the Food Advisory Committee's annual report included in this report be received.

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

YES - Councillor Maureen Wilson  
YES - Councillor Jason Farr  
YES - Councillor Nrinder Nann  
YES - Councillor Sam Merulla  
YES - Councillor Chad Collins  
YES - Councillor Tom Jackson  
YES - Councillor Esther Pauls  
YES - Councillor John-Paul Danko  
YES - Chair Fred Eisenberger  
YES - Councillor Judi Partridge  
YES - Councillor Terry Whitehead  
YES - Councillor Arlene VanderBeek  
YES - Councillor Lloyd Ferguson  
YES - Councillor Brenda Johnson  
YES - Councillor Maria Pearson  
YES - Councillor Brad Clark

**3. Smoke-Free Ontario Act 2017 - Vapour Products and Cannabis (BOH19002) (City Wide) (Item 10.1)**

**(Ferguson/Pauls)**

That Report BOH19002, respecting the Smoke-Free Ontario Act 2017 - Vapour Products and Cannabis, be received.

**CARRIED**

**4. Feasibility of Amending City of Hamilton By-law 11-080 Prohibiting Smoking Within City Parks and Recreation Property to Incorporate a Prohibition on Recreational and Medicinal Cannabis Smoking and Vaping Within City-owned Parks and Recreation Properties (Added Item 11.1)**

**(Merulla/Collins)**

WHEREAS, the Province of Ontario has, through their constitutional authority under the federation of Canada, pursued the legalization of recreational and medicinal cannabis use in Ontario;

WHEREAS, the Province of Ontario has amended the provincial Smoke-Free Ontario Act 2017 and introduced new regulations prohibiting the smoking of recreational and medicinal cannabis and vaping in prescribed public places and workplaces;

WHEREAS, the Province of Ontario is in the process of amending the Municipal Act, 2001, to allow municipalities to develop and install local by-laws restricting the smoking of recreational and medicinal cannabis and vaping beyond the provincial regulations; and

WHEREAS, the City of Hamilton has had one of the most comprehensive outdoor smoke-free by-laws in Ontario since 2011;

THEREFORE, BE IT RESOLVED:

- (a) That Public Health Services staff, in consultation with City of Hamilton Legal Services, be directed to report back to the Board of Health on the feasibility of amending City of Hamilton By-law #11-080 Prohibiting Smoking Within City Parks and Recreation Property to include additional prohibitions on the smoking of recreational and medicinal cannabis and vaping within City-owned parks and recreation properties; and
- (b) That Public Health Services staff provide public consultation on the feasibility of amending City of Hamilton By-law #11-080 Prohibiting Smoking Within City Parks and Recreation Property to include additional prohibitions on the smoking of recreational and medicinal cannabis and vaping within City-owned parks and recreation properties.

**Result: Motion CARRIED by a vote of 16 to 0, as follows:**

YES - Councillor Maureen Wilson  
YES - Councillor Jason Farr  
YES - Councillor Nrinder Nann  
YES - Councillor Sam Merulla

YES - Councillor Chad Collins  
YES - Councillor Tom Jackson  
YES - Councillor Esther Pauls  
YES - Councillor John-Paul Danko  
YES - Chair Fred Eisenberger  
YES - Councillor Judi Partridge  
YES - Councillor Terry Whitehead  
YES - Councillor Arlene VanderBeek  
YES - Councillor Lloyd Ferguson  
YES - Councillor Brenda Johnson  
YES - Councillor Maria Pearson  
YES - Councillor Brad Clark

**FOR INFORMATION:**

**(a) CEREMONIAL ACTIVITIES (Item 1)**

There were no ceremonial activities.

**(b) CHANGES TO THE AGENDA (Item 2)**

The Clerk advised the Board of the following changes to the agenda.

**5. COMMUNICATIONS**

- 5.1 Correspondence from the Association of Local Public Health Agencies respecting the alpha Winter Symposium: Thursday, February 21, 2019

Recommendation: Be received, with two Councillors to volunteer to attend the event.

**12. NOTICES OF MOTION**

- 12.1 Feasibility of Amending City of Hamilton By-law 11-080 Prohibiting Smoking Within City Parks and Recreation Property to Incorporate a Prohibition on Recreational and Medicinal Cannabis Smoking and Vaping Within City-owned Parks and Recreation Properties

**(Danko/Merulla)**

That the agenda for the January 14, 2019 Board of Health be approved, as amended.

**Result: Motion CARRIED by a vote of 11 to 0, as follows:**

YES - Councillor Maureen Wilson  
YES - Councillor Nrinder Nann  
YES - Councillor Sam Merulla  
YES - Councillor Chad Collins  
YES - Councillor Tom Jackson  
YES - Councillor John-Paul Danko  
YES - Chair Fred Eisenberger

YES - Councillor Lloyd Ferguson  
YES - Councillor Brenda Johnson  
YES - Councillor Maria Pearson  
YES - Councillor Brad Clark  
NOT PRESENT - Councillor Jason Farr  
NOT PRESENT- Councillor Esther Pauls  
NOT PRESENT- Councillor Judi Partridge  
NOT PRESENT- Councillor Terry Whitehead  
NOT PRESENT- Councillor Arlene VanderBeek

**(c) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

**(d) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)**

**(i) December 10, 2018 (Item 4.1)**

**(Pearson/Johnson)**

That the Minutes of the December 10, 2018 meeting of the Board of Health be approved, as presented.

**Result: Motion CARRIED by a vote of 11 to 0, as follows:**

YES - Councillor Maureen Wilson  
YES - Councillor Nrinder Nann  
YES - Councillor Sam Merulla  
YES - Councillor Chad Collins  
YES - Councillor Tom Jackson  
YES - Councillor John-Paul Danko  
YES - Chair Fred Eisenberger  
YES - Councillor Lloyd Ferguson  
YES - Councillor Brenda Johnson  
YES - Councillor Maria Pearson  
YES - Councillor Brad Clark  
NOT PRESENT - Councillor Jason Farr  
NOT PRESENT- Councillor Esther Pauls  
NOT PRESENT- Councillor Judi Partridge  
NOT PRESENT- Councillor Terry Whitehead  
NOT PRESENT- Councillor Arlene VanderBeek

**(e) COMMUNICATIONS (Item 5)**

- (i) Correspondence from the Association of Local Public Health Agencies respecting the alPHa Winter Symposium: Thursday, February 21, 2019 (Item 5.1)**

**(Pearson/Ferguson)**

That the Correspondence from the Association of Local Public Health Agencies respecting the alPHa Winter Symposium: Thursday, February 21, 2019, be received.

**CARRIED**

**(f) STAFF PRESENTATION (Item 9)**

- (i) Food Advisory Committee 2019 Budget Request and Annual Report (BOH19004) (City Wide) (Item 9.1)**

Luc Peters and Hannah Pahuta of the Food Advisory Committee, addressed the Board of Health respecting Food Advisory Committee 2019 Budget Request and Annual Report (BOH19004), with the aid of a PowerPoint presentation. A copy of the presentation has been included in the official record.

**(Ferguson/VanderBeek)**

That the presentation respecting Report BOH19004, Food Advisory Committee 2019 Budget Request and Annual Report, be received.

**CARRIED**

The presentation is available at [www.hamilton.ca](http://www.hamilton.ca)

**(g) NOTICE OF MOTION (Added Item 12)**

- (i) Feasibility of Amending City of Hamilton By-law 11-080 Prohibiting Smoking Within City Parks and Recreation Property to Incorporate a Prohibition on Recreational and Medicinal Cannabis Smoking and Vaping Within City-owned Parks and Recreation Properties (Added Item 12.1)**

Councillor Merulla introduced a Notice of Motion respecting the Feasibility of Amending City of Hamilton By-law 11-080 Prohibiting Smoking Within City Parks and Recreation Property to Incorporate a Prohibition on Recreational and Medicinal Cannabis Smoking and Vaping Within City-owned Parks and Recreation Properties.

**(Merulla/Collins)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting Feasibility of Amending City of Hamilton By-law 11-080 Prohibiting Smoking Within City Parks and Recreation Property to Incorporate a Prohibition on Recreational and Medicinal Cannabis Smoking and Vaping Within City-owned Parks and Recreation Properties.

**CARRIED**

For disposition of this matter, refer to Item 4.

**(h) ADJOURNMENT (Item 15)**

**(VanderBeek/Pearson)**

That, there being no further business, the Board of Health be adjourned at 2:10 p.m.

**CARRIED**

Respectfully submitted,

Mayor F. Eisenberger  
Chair, Board of Health

Loren Kolar  
Legislative Coordinator  
Office of the City Clerk